

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

**UNITED STATES OF AMERICA,
Plaintiff,**

Vs.

**TY LANE LIVINGSTON
Defendant.**

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Case No. 22-MJ-01391-KRS

NOTICE OF INTENTION TO ENTER GUILTY PLEA

TO HONORABLE JUDGE OF SAID COURT:

The Defendant TY LANE LIVINGSTON, by and through his attorney of record, Orlando Mondragon, hereby gives notice that he intends to enter a guilty plea to the charge herein. He further acknowledges that the time period extending from the date of the filing of this notice to the date of the change of plea hearing should be excluded from speedy trial time computation pursuant to 18 U.S.C. § 3161(h)(1)(G)¹.

Respectfully submitted,

/s/ Orlando Mondragon

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¹ This notice also qualifies as a motion for purposes of the Speedy Trial Act and tolls the clock pursuant to 18 U.S.C. § 3161(h)(1)(D). *United States v. Hunter*, 9 Fed.Appx. 857, 859-60 (10th Cir.2001) (holding that the filing of a notice that the defendant wanted to change his plea “is treated as a pretrial motion requiring a hearing for the purposes of the Speedy Trial Act,” and that “the entire period between notifying the court that the defendant wanted to change his plea and the change of plea hearing itself was excluded for the purposes of the Speedy Trial Act.”)

CERTIFICATE OF SERVICE

I hereby certify that on the 28th day of November 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsels of record in this cause.

/s/ Orlando Mondragon

Attorney for TY LANE LIVINGSTON